

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)
) Chapter 11
ALLEGIANCE COAL USA LIMITED,)
<i>et al.</i> ,) Case No. 23-10234 (CTG)
)
Debtors. ¹) Jointly Administered
)

NOTICE OF APPEARANCE AND REQUEST FOR NOTICES

PLEASE TAKE NOTICE that, pursuant to Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), the undersigned counsel enter their appearance as proposed counsel for the Official Committee of Unsecured Creditors in the above-captioned cases (the “Committee”) and request that all notices and other papers filed or served in the above-captioned cases be served upon the following attorneys:

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¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal EIN, are as follows: Allegiance Coal USA Limited (1324); New Elk Coal Holdings LLC (1314); New Elk Coal Company LLC (0615); and Black Warrior Minerals, Inc. (6486). The Debtors’ mailing address for purposes of these chapter 11 cases is 12250 Highway 12, Weston, CO 81091.

PLEASE TAKE FURTHER NOTICE that, pursuant to 11 U.S.C. § 1109(b), the foregoing request includes not only the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, any notice, application, complaint, demand, motion, petition, pleading, or request, whether formal or informal, written or oral, and whether transmitted or conveyed by mail, delivery, telephone, electronic filing, facsimile, or otherwise filed or made with regard to the referenced cases and proceedings herein.

PLEASE TAKE FURTHER NOTICE that filing of this *Notice of Appearance and Request for Notices* shall not be deemed or construed to constitute a waiver of any substantive or procedural right of the Committee including, without limitation: (i) the right to have final orders in non-core matters entered only after *de novo* review by the United States District Court for the District of Delaware (the “District Court”), (ii) the right to trial by jury in any proceeding related to these cases or any cases, controversy, or proceeding related to these cases, (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, (iv) the right to have any matter in which this Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution heard by the District Court; or (v) any other rights, claims, actions, defenses, setoffs, or recoupments to which the Committee is or may be entitled, in law or in equity, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved. Unless and until the Committee expressly states otherwise, the Committee does not consent to the entry of final orders or judgments by this Court if it is determined that this Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

Dated: March 20, 2023
Wilmington, Delaware

Respectfully submitted,

/s/ Richard W. Riley

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² Whiteford, Taylor & Preston LLC operates as Whiteford Taylor & Preston L.L.P. in jurisdictions outside of Delaware.